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VIRGINIA:

IN THE MONTGOMERY COUNTY CIRCUIT COURT

JUL 20 2023

Montgomery County Circuit Court  
Tiffany M. Couch, Clerk

DEBRA SMITH

Plaintiff,

v.

TEXAS ROADHOUSE HOLDINGS LLC  
DBA TEXAS ROADHOUSE

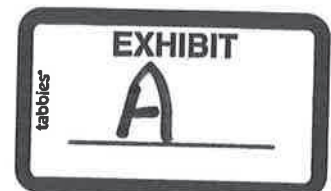
Defendant.

Case No. CL23001247-00

**COMPLAINT**

COMES NOW the Plaintiff, Debra Smith, and for her cause of action against the Defendant,  
Texas Roadhouse Holdings LLC DBA Texas Roadhouse, states as follows:

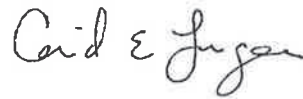
1. Texas Roadhouse Holdings LLC DBA Texas Roadhouse is a Kentucky corporation authorized to do business in the state of Virginia.
2. On or about July 24, 2021, Plaintiff was a business invitee at Defendant's restaurant located at 100 Bradley Drive NW, Christiansburg, VA (hereafter referred to as the "subject premises").
3. At the same time and place, Plaintiff opened the door to exit and stepped back to allow customers to enter, when she tripped and fell over a large ashtray that was tucked behind the door.
4. Plaintiff suffered injuries and damages as a result of her fall.
5. Defendant owed duties of care to Plaintiff including, but not limited, to:
  - a. The duty to maintain the subject premises in a safe condition; and
  - b. The duty to warn plaintiff of the presence of hazards at the subject premises;
6. Defendant had notice, or in the exercise of reasonable care should have discovered, that the ashtray near the entrance was a tripping hazard for business invitees, including Plaintiff.



7. Defendant breached the duties of care owed to Plaintiff and was negligent in *at least* the following respects:
  - a. Defendant failed to maintain the subject premises in a safe condition; and
  - b. Defendant failed to warn Plaintiff of the presence of a hazardous condition at the subject premises.
8. Defendant's negligence was a proximate cause of Plaintiff's fall.
9. As a proximate result of Plaintiff's fall, she suffered injuries and damages including, but not limited to, permanent injuries, past and future pain and suffering, past and future emotional distress, and substantial medical expenses in an effort to treat the injuries sustained as a result of her fall.
10. Plaintiff seeks to be fully and fairly compensated for her injuries and damages to the fullest extent permitted under Virginia law.
11. Plaintiff requests a trial by jury on all issues.

WHEREFORE, Debra Smith moves this court for judgement against Defendant, Texas Roadhouse Holdings LLC DBA Texas Roadhouse, in the amount of four hundred fifty thousand dollars (\$450,000.00) plus her taxable costs, with interest on all of these amounts from July 24, 2021.

Debra Smith



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